

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RICKY J. HAMBY,)	
)	
Plaintiff,)	
)	
v.)	Civ. No. 05-626-JJF
)	
DR. ALI, et al.,)	
)	
Defendants.)	

O R D E R

WHEREAS, on May 31, 2006, Plaintiff filed a motion for injunctive relief alleging that while he was housed at the Howard R. Young Correctional Institution ("HYRCI"), inmates entered his cell and attacked him upon the request of Officer George Wright (D.I. 34);

WHEREAS, Plaintiff alleges that he was injured and that following the injury he received inadequate medical treatment;

WHEREAS, Plaintiff also states that he was in isolation, that there could be "drastic moves with no witnesses", and that he did not want to be "found dead" in his cell;

WHEREAS, on June 5, 2006, the Court ordered Defendants to respond to the motion (D.I. 37);

WHEREAS, Defendants filed a timely response, and Plaintiff filed a reply (D.I. 40, 44);

WHEREAS, A status conference was held on June 20, 2006, and at said conference Plaintiff advised the Court that on June 13, 2006, he was transferred from HRYCI to the Delaware Correctional

Center ("DCC");

WHEREAS, during the status conference, the Court found that based upon the letters filed by Plaintiff (D.I. 34, 41), he had amended his complaint to raise a retaliation claim;

WHEREAS, in light of the fact that the alleged retaliatory actions occurred at the HRYCI and Plaintiff is now housed at the DCC, the request for injunctive relief is moot.

NOW THEREFORE, IT IS HEREBY ORDERED this 26 day of June, 2006, that the motion for injunctive relief (D.I. 34) is DENIED as moot.


UNITED STATES DISTRICT JUDGE